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**REMARKS**

Claims 1, 12, 14-16, 18, 20 and 21 are amended herein. Claims 1-25 will be pending upon entry of this amendment.

The following remarks are responsive to the final Office action mailed August 28, 2006.

Response to Claim Rejections

Claim 1

Amended claim 1 is directed to an absorbent garment for personal wear about the wearer's waist. The absorbent garment comprises:

a garment shell configured for encircling the wearer's waist and having a front waist region, a front waist end at said front waist region, a back waist region and a back waist end at said back waist region; and

an absorbent assembly disposed within the garment shell and constructed to take in and retain body exudates released by the wearer, the absorbent assembly having an inner surface adapted for contiguous relationship with the wearer's body, an outer surface, a front waist region in opposed relationship with the front waist region of the garment shell, a back waist region in opposed relationship with the back waist region of the garment shell, a crotch region extending longitudinally between and interconnecting the front waist region of the absorbent assembly and the back waist region of the absorbent assembly, a front waist end and a back waist end, the absorbent assembly being releasably and refastenably attached generally

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at its front waist end to the garment shell generally at the front waist end of the garment shell, said absorbent assembly also being releasably and refastenably attached generally at its back waist end to the garment shell generally at the back waist end of the garment shell such that the absorbent assembly is selectively detachable from and reattachable to the garment shell.

Claim 1 is amended herein to clarify that the attachment of the absorbent assembly to the garment shell is a releasable and refastenable attachment. While applicants believe that the term "releasable" typically means both releasable and refastenable (i.e., the absorbent assembly or garment shell is readily detachable from the waist belt and may be readily reattached thereto) and reflects the manner in which the term "releasable" is used the present specification (e.g., hook and loop type fasteners are releasable and refastenable type fasteners), the claim is amended to further clarify the attachment relationship between the absorbent assembly and the garment shell. Such an attachment allows the absorbent assembly and garment shell to be selectively detached and reattached to each other.

Amended claim 1 is submitted to be nonobvious in view of and patentable over the references of record, and in particular U.S. Patent No. 6,115,847 (Rosch et al.) in view of U.S. Patent Application Publication No. 2002/0087137 (Christoffel et al.), in that whether considered alone or in combination the references fail to show or suggest an absorbent garment

including an absorbent assembly that is selectively detachable from and reattachable to the garment shell.

Rosch et al., with reference to Figs. 1 and 2 thereof, disclose an active wear garment 10 comprised of a pant structure 12 and a skirt cover 14. The skirt cover 14 has a front panel 15 (Fig. 1) secured to a back panel 21 (Fig. 2). The front panel 15 has a waist region 31, and the back panel 21 has a waist region 33. The pant structure 12 includes a front waist band region 20, and a back waist band region 22 (Fig. 2). The pant structure 12 and the skirt cover 14 are permanently joined at the waist of the garment 10. See column 5, lines 42-45 (wherein the pant structure and skirt cover are described as being bonded together by adhesives or other bonding methods). See also column 1, lines 53-56 in which Rosch et al. teach that the waist band regions 20, 22 of the pant structure 12 are non-refastenably joined to the waist regions 31, 33 of the skirt cover 14. See also column 14, lines 38-43, column 15, lines 2-7, claim 1, claim 6, and the abstract.

In Fig. 4, Rosch et al. disclose a garment 110 of a second embodiment having a trunk (e.g., shorts-type) cover 114 instead of the skirt cover 14 shown in Figs. 1 and 2. The trunk cover 114 can be formed with an integrated pant structure 112 or used by itself (i.e., without a pant structure). When the pant structure 112 is combined with the trunk cover 114, the pant structure and the trunk cover are joined at the waist. See column 12, lines 42-46. More specifically, waist regions 131, 133 of the trunk cover 114 are non-refastenably engaged to

front and back waist band regions 120, 122 of the pant structure. See column 16, lines 14-20 and lines 50-57.

Rosch et al. thus explicitly teach that the trunk or skirt cover is permanently bonded, i.e., non-refastenably joined to the pant structure at their respective waist regions.

Accordingly, Rosch et al. fail to disclose an absorbent assembly that is selectively detachable from and reattachable to a garment shell as recited in amended claim 1.

Christoffel et al. disclose a "one-piece" "disposable" swimsuit for girls. That is, the entire swimsuit is intended to be used once and then discarded. Thus, as in Rosch et al., the various components of the article (in this instance the swimsuit) are not constructed or even intended to be separated from each other. In particular, in each embodiment illustrated and described in Christoffel et al. the swimsuit 20 comprises a chassis 22 permanently (i.e., non-refastenably) secured to a bodice 42 to form the one-piece swimsuit. See paragraph [0074] in which Christoffel et al. disclose bonding the bodice 42 to the chassis 22 by adhesive bonding, thermal bonding or ultrasonic bonding, all of which are non-refastenable bonds.

With particular reference to Figs. 1-19 of Christoffel et al., in some of the disclosed embodiments the swimsuit 20 may further incorporate a relatively small rectangular integral (i.e., non-refastenably secured) absorbent assembly 54. See, e.g., Fig. 2 and paragraphs [0089-0091] in which the absorbent assembly is disposed between the coverstock 50 and a body side liner 108 and is thus non-refastenably disposed in the

swimsuit. In other embodiments of Figs. 1-19, Christoffel et al. teach that the swimsuit 20 may be worn over a separate absorbent garment 88 (such as an absorbent swim pant). See, e.g., Fig. 16 and paragraph [0069].

In Figs. 20 and 21 of Christoffel et al. (and paragraphs [0072-0074] as relied on in the Office action), Christoffel et al. teach that the chassis 22 to which the bodice 42 is bonded may itself be a pant-like absorbent product 98 such as a diaper or training pant. The bodice 42 in Figs. 20 and 21 is bonded to the front of the pant-like absorbent product 98 and covers the front upper torso without necessarily covering the wearer's back upper torso. Thus, as in the embodiments of Figs. 1-19, the bodice 42 is still bonded (i.e., non-refastenably secured) to the chassis 22.

Thus, Christoffel et al. (like Rosch et al.) fail to teach or suggest an absorbent assembly releasably and refastenably attached to the garment shell such that the absorbent assembly is selectively detachable from and reattachable to the garment shell as recited in amended claim 1.

Since both Rosch et al. and Christoffel et al. fail individually to teach or suggest an absorbent assembly selectively detachable from and reattachable to a garment shell, a combination of these references must also fail to teach or suggest this feature of amended claim 1.

Moreover, there is no suggestion or motivation found in the cited references that would motivate one skilled in the art

to modify Rosch et al. so that the skirt or trunk cover 14, 114 is selectively detachable from and reattachable to the pant structure 12, 112. The lone mention by Christoffel et al. of a refastenable fastening system is found at paragraph [0073] thereof in which Christoffel et al. teach that a refastenable fastening system 92 (Fig. 21) may be used for greater ease in applying and removing the swimsuit. In particular, a front strap portion 68 of the bodice 42 is releasably attached to a back strap portion 70 of the bodice (e.g., at the shoulders of the wearer). There is no suggestion whatsoever of using a similar fastening system to secure the bodice 42 to the absorbent pant product 98 of Christoffel et al. That is, Christoffel et al. expressly teach bonding the bodice to the absorbent assembly of Figs. 20 and 21. See paragraph [0074].

Thus, one skilled in the art would not be motivated by Christoffel et al. to use a refastenable fastening system to selectively attach the skirt/trunk of Rosch et al. to the pants structure thereof. The fact that Christoffel et al. teach the use of hook and loop type fasteners for use in assembling the swimsuit does not suggest to one skilled in the art to make an absorbent assembly separable from a garment shell as recited in claim 1 simply because applicants, in one embodiment, use hook and loop type fasteners to achieve the separability. Rather, such motivation comes only from the present application.

For the above reasons, amended claim 1 is submitted to be nonobvious in view of and patentable over the references of record.

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Claims 2-25 depend directly or indirectly from amended claim 1 and are submitted to be patentable over the references of record for the same reasons as claim 1.

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**CONCLUSION**

In view of the foregoing, favorable consideration and allowance of claims 1-25 is respectively requested.

Respectfully submitted,



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